IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Bail Appl..No. 4809 of 2007()

CRIME NO.51/2007 OF EXCISE RANGE, HOSDURG

PETITIONER : ACCUSED:

K.ISWARAN, S/O.K.BALAKRISHNAN,
AGED 32 YEARS, MAILATTY DESOM, CHOUKI,
PANAYAL VILLAGE, HOSDRUG TALUK, KASARAGOD DISTRICT

BY ADV. SRI.T.MADHU

RESPONDENTS: COMPLAINANT:

THE EXCISE INSPECTOR, HOSDURG RANGE,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4809 of 2007

Dated this the 10th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He had allegedly found to be in possession of 6 litres (100 ml X 60 packets) of Karnataka arrack. He was arrested on the same day and continues in custody now. The learned Public Prosecutor concedes that there is no history of criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 16.08.2007. The Investigator shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-